

Administrator Gina McCarthy Region 6 Visit

Issue: CES Environmental Services, Inc., Houston, Harris County, TX

Background/Status:

A Removal Action started in September 2014 and is ongoing. Statutory maximum funding has been approved (\$2,000,000). Significant waste has been consolidated and disposed via incineration, waste water treatment, deep well injection, fuel blending, solidification/landfill (non-haz), direct landfill (non haz), and encapsulation/landfill. Removal Action completion anticipated by end of May 2015.

Potentially Responsible Parties (PRPs) have been noticed by TCEQ and EPA has also begun the process of noticing PRPs. The TCEQ has a tentative agreement with a PRP Group to take over future response actions at the site upon the conclusion of the EPA Removal Action through the TCEQ Voluntary Cleanup Program (VCP). The Region is in support of the TCEQ VCP process and has been closely involved. The PRP Group is working through the legal issues with the Bankruptcy Estate to end the Bankruptcy Estate control of the property and to transfer the property into a Custodial Trust allowing them the ability to take appropriate actions.

EPA is working closely with TCEQ, City of Houston, Local Residents, and NGO's (Texas Organizing Project, Air Alliance Houston, Texas Low Income Housing Information Service), Trustee, and PRP Group. In recent discussions, the City of Houston and Congresswoman Shelia Jackson Lee have expressed additional interest concerning the site.

Message:

- At the request of TCEQ, EPA is conducting a time critical removal action to address the immediate threats which are tanks, drums and containers of waste materials. We expect to complete this action in early summer.
- The Potential Responsible Parties are negotiating with TCEQ to address the longer term remediation of possible soil contamination through the State's Voluntary Cleanup Program.
- If this process does not work out, EPA will consider its statutory options, including possible enforcement, to address longer termed threats such as possible soil contamination.

Contact: Carl Edlund (214) 665 - 6701